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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,232	04/23/2001	Christophe Gourraud	27950-432USPT	6390

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EXAMINER

MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,232

Applicant(s)

GOURRAUD, CHRISTOPHE

Examiner

Joseph R Maniwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/25/03, 12/05/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are informal drawings containing hand-drawn elements. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The recitation of "sending by a call server of a first trigger linked to a first call event to a service manager in response to occurrence of the first call event" and "sending by the call server of a second trigger linked to a second call event to the service manager in response to occurrence of the first call event" renders the claim unclear as to what the Applicant considers as the invention. For the purposes of examination, Examiner interprets the claim to mean a call server

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sends a first and second trigger linked to a first and second call event to a service manager in response to occurrence of the first and second call event.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5, 6, 8-11, 14-17, 19-22, 25-28, 30-34, 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Deo et al. (U.S. Pat. No. 6,393,481), hereinafter referred to as Deo.

7. Regarding claims 1, 14, 17, 25, and 32, Deo disclosed a method and system for providing real-time call processing services. Deo disclosed a call server or network entity for receiving call events (see column 5, line 66 through column 6, line 4; column 10, lines 21-45). In response to call events, the call server then sent triggers to a service manager, which in turn determined the proper applications to execute, and invoked the applications via an API (see column 6, lines 35-47, 58-67; column 18, lines 44-55; column 19, lines 11-33; column 21, line 17; column 35, lines 62-64). Deo further disclosed the use of predetermined criteria or user data for call processing, such information obtained

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from profiles on a networked storage device (see column 6, lines 11-15, 62-66; column 12, lines 58-62; column 18, lines 51-52).

8. Regarding claims 2 and 30, Deo disclosed the use of objects implemented by an application of a service, in which information regarding an object with which the application must interact as claimed in inherent (see column 13, lines 48-58).

9. Regarding claims 3, 6, 20, 26, 27, and 33, Deo disclosed the use of an application-programming interface (see column 21, lines 17-20; column 23, lines 7-10).

10. Regarding claim 5, Deo disclosed executing the application using information relating to whether there was a service interaction management issue present (see column 33, lines 34-36).

11. Regarding claims 8, 10, and 19, Deo disclosed the service manager serving as a proxy (see column 13, lines 59-64; column 17, line 65 through column 18, line 2; column 18, lines 9-13).

12. Regarding claims 9 and 21, Deo disclosed the use of a cache for storing call-related information (see column 28, lines 34-45; column 28, line 57 through column 29, line 11).

13. Regarding claims 11, 22, 28, and 34, Deo disclosed the invention in context of an intelligent network (see column 6, lines 1-4; column 8, line 10).

14. Regarding claim 15, Deo disclosed associating a caller to the call server through the use of identifiers (see column 24, lines 36-41).

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15. Regarding claim 16, Deo disclosed that a first and second event received by a call server could be the same event (see column 17, lines 1-21).

16. Regarding claims 31 and 37, Deo disclosed the service manager to comprise a SCP service control point (see column 3, lines 14-20).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 4, 7, 12, 13, 18, 23, 24, 29, 35, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable Deo et al. (U.S. Pat. No. 6,393,481), hereinafter referred to as Deo, and further in view of Bos et al. (U.S. Pat. No. 6,456,857), hereinafter referred to as Bos.

19. Deo disclosed a method and system for providing real-time call processing services. Deo disclosed a call server or network entity for receiving call events (see column 5, line 66 through column 6, line 4; column 10, lines 21-45). In response to call events, the call server then sent triggers to a service manager, which in turn determined the proper applications to execute, and invoked the applications via an API (see column 6, lines 35-47, 58-67; column 18, lines 44-55; column 19, lines 11-33; column 21, line 17; column 35, lines 62-64). Deo further disclosed the use of predetermined criteria or user data for call

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processing, such information obtained from profiles on a networked storage device (see column 6, lines 11-15, 62-66; column 12, lines 58-62; column 18, lines 51-52). Deo disclosed the use of objects implemented by an application of a service (see column 13, lines 48-58). Deo disclosed the use of an application-programming interface (see column 21, lines 17-20; column 23, lines 7-10). Deo also disclosed the invention in context of an intelligent network (see column 6, lines 1-4; column 8, line 10).

20. While Deo disclosed the use of an API, Deo did not specifically disclose the use of the Open Service Access (OSA).

21. In a related art of communication networks, Bos disclosed a system for implementing a plurality of applications and capabilities for a terminal. Similar to the invention of Deo, Bos disclosed providing applications to a communication terminal in response to signals transmitted through the network (see column 4, lines 34-65). Most interesting is the disclosed use of OSA for connecting applications to service capabilities (see column 5, lines 19-53).

22. It would have been obvious to one of ordinary skill in the art to combine the teachings of Deo and Bos to provide a system for sending triggers to a service node in response to call events received at a call server, and determining and executing applications in response to the triggers through an API, where the API comprised OSA. The use of OSA for interfacing applications to communication services was well known at the time of invention as suggested by Bos (see column 5, lines 19-53). One of ordinary skill in the art would have been motivated to consider the use of the OSA architecture in the invention of Deo as

Bos disclosed it to help applications become independent from the underlying network technology and help to hide the network complexity from applications (see column 5, lines 31-35, 38-41), a problem that Deo similarly recognized and sought to overcome (see column 1, lines 40-61; column 5, lines 38-46).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beckwith et al. (U.S. Pat. No. 6,330,598) disclosed an intelligent network using managers to service SCPs in response to request messages.

Shah et al. (U.S. Pat. No. 6,269,396) disclosed a method for providing an interface between APIs providing telecommunications functions.

Shank et al. (U.S. Pat. No. 6,445,776) disclosed a server for providing telephony services in a telecommunications network using objects and APIs.

Miloslavsky (U.S. Pat. No. 6,229,888) disclosed a method and system for routing telephone calls.

Clayton et al. (U.S. Pat. No. 6,681,001) disclosed a method and system for processing application requests in a telecommunications system.

Atkinson et al. (U.S. Pat. No. 6,192,121) disclosed an API for interfacing applications with a telephony server.

Dugan et al. (U.S. Pat. No. 6,804,711) disclosed a method and system for managing call processing services in a n intelligent network.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM


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